

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Hagiwara et al.

Patent No. 7,569,536

Issued: August 4, 2009

Application No. 10/584,482

Filed: March 2, 2007

Confirmation No. 3652

For: METHODS FOR CONTROLLING SR PROTEIN PHOSPHORYLATION, AND ANTIVIRAL AGENTS WHOSE ACTIVE INGREDIENTS COMPRIZE AGENTS THAT CONTROL SR PROTEIN ACTIVITY

Examiner: Jane Zara

Art Unit: 1635

Attorney Reference No. 6235-76051-01

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REQUEST FOR RECALCULATION OF PATENT TERM ADJUSTMENT
IN VIEW OF WYETH

Patentee hereby requests recalculation of the Patent Term Adjustment (PTA) in light of Wyeth v. Kappos, No. 2009-1120 (Fed. Cir., Jan. 7, 2010). Patentee makes this request without a fee as an alternative to the petition and fee required by 37 C.F.R. § 1.705(d). The patentee's sole basis for requesting the recalculation is the USPTO's pre-Wyeth's interpretation of 35 U.S.C. 154(b)(2)(A).

This request is being submitting within 180 days of the issuance of the referenced patent.

It is Patentee's understanding that no fee is required. However, if a fee is required, please charge any such fees in connection with filing this petition to Deposit Account No. 02-4550.

Respectfully submitted,

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cc: Docketing